

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

X

In re: Case No. 8-10-77253-reg
Chapter 11
SUPREME CHICKEN INC.,

Debtor.

X

**ORDER SCHEDULING EMERGENCY APPLICATION BY DEBTOR'S STATE
COURT RECEIVER FOR (1) RELIEF FROM THE AUTOMATIC STAY IN
CONNECTION WITH THE ACTION ENTITLED *IN RE: SUPREME CHICKEN*,
UNDER CASE NO. 8-10-77253-REG, AND (2) EXCUSING THE RECEIVER
FROM THE OBLIGATION TO TURNOVER ANY POSSESSION, RENTS AND
PROFITS TO BE COLLECTED BY HIM IN HIS CAPACITY AS RECEIVER,
AND GRANTING RELIEF PENDING THE HEARING**

Upon consideration of the Emergency Application of Jay A. Berman (the
“Receiver”) seeking (1) relief from the automatic stay in connection with the action
entitled *In Re: Supreme Chicken*, under case no. 8-10-77253-reg, (2) excusing the
Receiver from the obligation to turnover possession, any rents and profits to be collected
by him in his capacity as Receiver (“***Motion***”), it is hereby

ORDERED, that pending a determination of the Motion the Receiver shall be
granted interim relief from the automatic stay and be permitted to continue his duties as
Receiver pursuant to the Supreme Court, Kings County Order of Appointment dated July
13, 2009 *in the foreclosure action commenced in Supreme Court, Kings County under*
index no. 6019/09 by Flushing Savings Bank against the Debtor; and it is further

ORDERED, that pending a determination of the Motion the Receiver shall be
excused from the obligation to turnover any possession, rents and profits to be collected
by him in his capacity as Receiver; and it is further

ORDERED, that the Receiver shall promptly provide counsel to the Debtor with an accounting of all funds in the Receivership account and any proposed disbursements from the Receivership account; and it is further

ORDERED, that an expedited hearing on the continuance of the excusal of the Receiver from turnover of any possession, rents and profits and for vacatur of the automatic stay and other relief granted herein shall be scheduled for October 6, 2010 at 1:30 p.m. in the United States Bankruptcy Court for the Eastern District of New York (Central Islip) in Courtroom 860; and it is further

ORDERED, that service of this order ***and Motion*** shall be made ***on or before September 23, 2010*** via facsimile or Federal Express upon (a) the Office of the U.S. Trustee; (b) Scott Markowitz, Tarter Krinsky & Drogin LLP, attorney for the Debtor and (c) all other creditors ***and parties filing a notice of appearance in this case***; and it is further

ORDERED, that the any objections to the Motion shall be ***filed with the Court and served upon counsel to the Receiver so as to be received on or before October 4, 2010 at 12:00 p.m.***

Dated: Central Islip, N.Y.
September 22, 2010

By: /s/ Robert E. Grossman
Robert E. Grossman,
United States Bankruptcy Court Judge